

Message Text

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SUBJ: SOVIET EXTENSION OF FISHERY JURISDICTION TO 200 MILES

REF: STATE 301979

1. THE TEXT OF A DECREE OF THE SUPREME SOVIET EXTENDING SOVIET
FISHERY JURISDICTION TO 200 MILES WAS PUBLISHED IN THE DECEMBER
10, 1976, ISSUE OF "IZVESTIYA". UNOFFICIAL TRANSLATION OF THE
TEXT OF THE DECREE FOLLOWS.

2. QUOTE: DECREE OF THE PRESIDUM OF THE SUPREME SOVIET OF THE
USSR, ON TEMPORARY MEASURES TO PROTCT LIVING RESOURCES AND TO
REGULATE FISHERIES IN MARITIME REGIONS ADJACENT TO THE SHORES OF
THE USSR.

THE PRESIDUM OF THE SUPREME SOVIET OF THE USSR NOTES THAT
RECENTLY AN INCREASING NUMBER OF STATES, INCLUDING THOSE ADJACENT
TO THE USSR, ARE ESTABLISHING OFF THEIR SHORES ECONOMIC OR FISHING
ZONES EXTENDING UP TO 200 MARITIME MILES, WITHOUT WAITING FOR THE
CONCLUSION OF THE INTERNATIONAL CONVENTION WORKED OUT AT THE THIRD
UN CONFERENCE ON THE LAW OF THE SEA.

THE SOVIET UNION WILL NOW AND IN THE FUTURE SUPPORT THE
REGULATION OF DEVELOPING PROBLEMS OF LEGAL POLICY CONCERNING
THE WORLD OCEAN ON AN INTERNATIONAL BASIS AND WITH THIS PURPOSE
WILL SUPPORT THE CONCLUSION OF A CONVENTION BY WHICH SUCH PROBLEMS
AND PARTICULARLY PROBLEMS CONCERNING THE UTILIZTION OF LIVING
RESOURCES OF HHE COASTAL WATERS COULD BE RESOLVED BY MUTUAL

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CONSULTATION, TAKING INTO ACCOUNT THE LEGAL INTERESTS OF ALL

STATES.

BEARING IN MIND THAT, UNTIL THE CONCLUSION OF SUCH A CONVENTION IT IS NECESSARY WITHOUT DELAY TO TAKE MEASURES FOR THE PROTECTION OF THE INTERESTS OF THE SOVIET STATE IN RELATION TO THE PROTECTION, REPRODUCTION, AND OPTIMAL UTILIZATION OF THE LIVING RESOURCES OF THE MARINE REGIONS ADJACENT TO THE USSR; THE PRESIDUM OF THE SUPREME SOVIET OF THE USSR DECREES:

(1). IN THE MARINE REGIONS ADJACENT TO THE USSR, TO AN EXTENT OF 200 MARINE MILES, COMPUTED FROM THOSE LINES BY WHICH THE TERRITORIAL WATERS OF THE USSR HAVE BEEN SET, IN ACCORDANCE WITH THE CONDITIONS OF THIS DECREE, TEMPORARY MEASURES FOR ESTABLISHMENT OF SUCH TEMPORARY MEASURES DOES NOT AFFECT THE POLICY ON TERRITORIAL WATERS OF THE USSR.

(2) THE SOVIET UNION, WITHIN THE LIMITS OF THE MARINE REGIONS STIPULATED IN ARTICLE (1) OF THIS DECREE, EXERCISES SOVEREIGN RIGHTS OVER FISH AND OTHER LIVING RESOURCES WITH A VIEW TO THEIR DETERMINATION, EXPLOITATION AND PROTECTION. THESE RIGHTS THE SOVIET UNION EXTENDS AS WELL TO MIGRATORY TYPES OF FISH WITHIN THE LIMITS OF THEIR MIGRATORY REGIONS, EXCLUDING THE PERIOD WHEN THEY ARE FOUND WITHIN THE LIMITS OF TERRITORIES ACKNOWLEDGED BY THE USSR AS THE TERRITORIAL WATERS, OR ECONOMIC OR FISHING ZONES OF OTHER STATES.

(3) INDUSTRY INVOLVING FISH AND OTHER LIVING RESOURCES, INCLUDING SURVEYS AND OTHER OPERATIONS CONNECTED WITH SUCH BUSINESS, ALL OF WHICH WILL BE REFERRED TO HENCEFORTH AS "FISHERIES," CAN BE UNDERTAKEN BY FOREIGN LEGAL ENTITIES OR PERSONS WITHIN THE ADJACENT AREAS AS SPECIFIED IN ARTICLE ONE OF THIS DECREE ONLY ON THE BASIS OF A FORMAL OR OTHER AGREEMENT BETWEEN THE USSR AND FOREIGN STATES.

(4) IN THE AREAS SPECIFIED IN ARTICLE ONE OF THIS DECREE, THE OPTIMAL UTILIZATION OF FISH AND OTHER LIVING RESOURCES WILL BE UNDERTAKEN ACCORDING TO SCIENTIFIC DATA AND, IN APPROPRIATE CASES, IN ACCORDANCE WITH THE RECOMMENDATIONS OF COMPETENT INTERNATIONAL ORGANIZATIONS. WITH THIS PURPOSE ARE ESTABLISHED SPECIFICALLY:

(A) A GENERAL ANNUAL PERMISSIBLE CATCH FOR EACH TYPE OF FISH
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AND FOR ALL LIVING RESOURCES.

(B) A PART OF THE ANNUAL PERMISSIBLE CATCH OF FISH OR OTHER LIVING RESOURCES WHICH MAY BE FISHED BY FOREIGN FISHING VESSELS IF THE VOLUME OF THE GENERAL PERMISSIBLE CATCH OF ANY STOCK OF AN INDUSTRIAL TYPE WILL EXCEED THE INDUSTRIAL PRODUCTION OF SOVIET COMMERCIAL FISHERIES.

(C) METHODS TO ENSURE THE RATIONAL CONDUCT OF FISHERIES AND THE PROTECTION AND EXPLLITATION OF LIVING RESOURCES.

(5) IN ACCORDANCE WITH THE PROVONS OF ARTICLES 2, 3 AND 4 OF THIS DECREE, CATCH QUOTAS MAY BE ESTABLISHED FOR FOREIGN STATES WHICH WILL PERMIT FOREIGN FISHING VESSELS TO ENGAGE IN FISHERIES, WITHOUT WHICH FISHERIES OPERATIONS ARE PROHIBITED.

(6) THE CONDITIONS AND TEMS OF THESE TEMPORARY MEASURES TO PROTECT LIVING RESOURCES AND TO REGULATE FISHERIES IN THE MARINE REGIONS ADJACENT TO THE COAST OF THE USSR, THE MEASURES FOR CONTROL OF THE OBSERVANCE OF THIS DECREE, AND THE PROCEDURES BY WHICH ARTICLES 2, 3, 4 AND 5 SHALL BE APPLIED SHALL BE DETERMINED BY THE COUNCIL OF MINISTERS OF THE USSR.

(7) FOR A VIOLATION OF THE CONDITIONS OF THIS DECREE OR OF THE REGULATIONS ESTABLISHED TO CARRY IT OUT, THE GUILTY PARTIES SHALL BE SUBJECT TO THE IMPOSITION OF A FINE. THE FINE, IMPOSED BY ADMINISTRATIVE PROCEDURE, IS SET AT A SUM OF UP TO 10,000 RUBLES. IF THE VIOLATORS CAUSE SIGNIFICANT DAMAGE OR OTHER SERIOUS CONSEQUENCES, OR IN THE CASE OF A REPEATED OFFENSE, THE GUILTY PARTIES SHALL BE SUBJECT TO PROSECUTION. THE FINE IMPOSED AS A RESULT OF LEGAL PROCEEDINGS IS SET AT A SUM UP TO 100,000 RUBLES. THE COURT, UPON APPLICATION BY THE ORGANS RESPONSIBLE FOR PROTECTION OF FISHERIES AND OTHER LIVING RESOURCES FOR THE AREA SPECIFIED IN ARTICLE ONE OF THIS DECREE, MAYCONFISCATE THE SHIP, FISHING EQUIPMENT AND INSTRUMENTS USED BY THE VIOLATORS,AND AND THE ILLEGAL CATCH.

IN THE EVENT OF AN ARREST OR DETENTION OF A FOREIGN SHIP, THE APPROPRIATE SOVIET COMPETENT ORGANS SHALL IMMEDIATELY INFORM THE STATE OF THE VESSEL'S REGISTRY OF THE MEASURES WHICH HAVE BEEN TAKEN AND WHICH WILL BE TAKE. A DETAINED SHIP AND ITS CREW WILL BE RELEASED IMMEDIATELY AFTER BAIL IS POSTED.

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(8) THE PROVISIONS OF THIS DECREE WILL CONTINUE IN EFFECT UNTIL THE ADOPTION OF FURTHER LEGAL MEASURES BY THE USSR CONCERNING THE AREA SPECIFIED IN ARTICLE ONE OF THIS DECREE, IN ACCORDANCE WITH THE WORK OF THE THIRD UN LAW OF THE SEA CONFERENCE.

CHAIRMAN OF THE PRESIDUM OF THE SUPREME SOVIET OF THE USSR,
N. PODGORNYY.

SECRETARY OF THE PRESIDUM OF THE SUPREME SOVIET OF THE USSR,
M. GEORGADZE.

END QUOTE.

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